

REMARKS

In the Office Action, claims 17-24 were withdrawn from consideration, and claims 1-16, 25-32 were rejected. The rejection of claims 1-16, 25-32 is respectfully traversed; and claims 1-16, 25-32 remain pending in the present application.

Claims 1, 2, 4, 5, 8, 9, 14 and 25-32 were rejected under 35 USC 102(b) as anticipated by the Moore reference, US Patent No.: 6,148,925. This rejection is respectfully traversed.

In the Office Action, page 5, section 8, the Examiner stated:

"...the portion of Moore to which applicant is referring, column 4, lines 65 through column 5, line 9 is not the portion of the reference on which the rejection was based. The section of Moore, column 3, line 62-column 4, line 54 clearly says that the wireline is feed into the well where the wireline is formed of coiled tubing 34 and a conductor 36 thus indicating that the conductor or cable was placed in the tubing prior to being inserted into the wellbore."

However, this assertion is incorrect. The passage cited by the Examiner does not indicate the conductor or cable was placed in the tubing prior to being inserted into the wellbore. In fact, the reference teaches just the opposite.

In the Moore reference, column 3, lines 62-column 4, line 54, the wire line 10 is described as a conductive wire line formed of coiled tubing 34 and a conductor that extends through the tubing 34. The passage cited by the Applicant at column 4, line 65, through column 5, line 9, describes the method by which the conductor 36 is placed into coiled tubing 34. According to the Moore reference, the method utilizes coiled tubing manufactured by conventional techniques "without any conductors in it." (See column 4, lines 64-66). The reference then further describes the method in which tubing is lowered into an underground well or other type of vertical passageway. A conductor is "then inserted into the tubing and allowed to fall by gravity through the tubing." (See column 5, lines 1-3). Accordingly, the characterization of the Moore reference in the Office Action is contrary to the actual teachings of the Moore reference.

The approach taught by the Moore reference is not capable of providing "uniform" support as recited in the pending claims. In the Office Action at page 5, section 8, it is further stated the Moore reference "clearly indicates that the conductor is held in its helical shape by a frictional engagement with the inner wall of the tubing...". However, the frictional engagement described in the Moore reference does not achieve uniform support. In fact, the Moore approach creates the very problems discussed in the BACKGROUND section of the present application with specific reference to the Moore reference.

In the BACKGROUND section of the present application, the gravity fed approach is described with reference to US6148925 (the Moore reference) and US5954136. As explained by the Applicant with reference to US5954136, in a gravity fed approach:

"the cable is generally in tension when assembled at surface and some additional cable is fed into the conduit (e.g. coiled tubing) only after the conduit is suspended in the well. Such a procedure results in an assembly in which the bottom of the cable is heavily buckled while the upper portion of the cable is in tension. When additional cable is fed into the conduit, some buckling does occur at the upper end of the conduit, but this buckling may be generally loose. Additionally, at the mid-portion of the conduit, the cable may remain in tension and thus not buckle at all."

As a result, this approach "does not produce a uniform buckling along the length of the assembly". The result is that vibration of the assembly during use can reduce the anchoring friction below a critical threshold and cause the cable to progressively settle until a stable, tighter helix is formed. This can cause pull-off of the cable connector or other types of failure. (See BACKGROUND, page 2, paragraph 05). The DETAILED DESCRIPTION then proceeds to describe embodiments that overcome these problems associated with the Moore approach to structurally achieve "uniform" support as recited in the pending claims.

The approach and system described in the Moore reference does not achieve uniform support despite the language regarding contacts created by the helical conductor. Excerpts cannot be taken from the Moore reference out of context and used in a manner inconsistent with the teachings of the reference. Accordingly, the Moore reference fails to disclose elements of the subject claims, and the rejection should be withdrawn.

By way of specific example, the Moore reference fails to describe or suggest numerous elements of the presently pending claims. The Moore reference does not disclose or suggest a cable inserted into a conduit, "wherein the cable is uniformly supported along the length of the conduit" as recited in independent claim 1. Similarly, the Moore reference does not disclose or suggest inserting a second length of cable into the length of conduit and "uniformly supporting the second length of cable along the length of the conduit via contact at the plurality of locations" as recited in independent claim 14. The Moore reference also fails to disclose or suggest rolling a strip of metal to create a tubular material, inserting a length of cable into the tubular material, and controlling the positioning of a plurality of contact locations "to provide uniform support of the length of cable along the tubular material when the tubular material is placed in a generally vertical orientation" as recited in independent claim 25. The Moore reference also fails to describe or suggest inserting a cable into a conduit "prior to deploying the conduit into a well" in combination with forming contact between the cable and the conduit "to support the cable in the conduit" as recited in independent claim 27. The Moore reference further fails to disclose or suggest a cable arranged in a conduit "to create contact between the cable and the conduit in a manner that provides uniform support of the cable along the length of the conduit" as recited in independent claim 32. Accordingly, the Moore reference fails to disclose or suggest elements of the subject claims.

Claims 2, 4, 5, 8, 9, 26 and 28-31 ultimately depend from one of the independent claims discussed above. These dependent claims are patentable over the cited reference for the reasons discussed above with respect to the independent claims as well as for additional, unique elements found in these dependent claims.

Claim 3 was rejected under 35 USC 103(a) as unpatentable over the Moore reference in view of the Denison et al. reference, US Patent No.: 4,095,865. This rejection is respectfully traversed. Claim 3 directly depends from independent claim 1 and is patentable over the Moore reference for the reasons discussed above with respect to independent claim 1 as well as for the additional, unique elements found in this dependent claim. The Denison et al. reference provides no additional disclosure that would obviate the deficiencies of the Moore reference.

Claims 6, 7, 10, 12, 13, 15 and 16 were rejected under 35 USC 103(a) as unpatentable over the Moore reference in view of the McHugh reference, US Patent No.: 5,954,136. This rejection is respectfully traversed.

The McHugh reference is relied on as disclosing a tubing system to suspend and power an ESP within a wellbore. However, nothing in the McHugh reference supplements the disclosure of the Moore reference in a manner that would render obvious that which is claimed in independent claim 10. For example, the cited references, taken alone or in combination, do not disclose or suggest positioning an electric cable within a conduit such that the electric cable contacts an interior surface of the conduit at a plurality of locations with "the plurality of locations being positioned to provide uniform support along the length of the conduit" as recited in independent claim 10.

Claims 6, 7, 12, 13, 15 and 16 ultimately depend from one of the independent claims discussed above. These dependent claims are patentable over the cited references for the reasons discussed above with respect to their corresponding independent claims as well as for additional, unique elements found in these dependent claims.

Claim 11 was rejected under 35 USC 103(a) as unpatentable over the Moore reference in view of the McHugh et al. reference and further in view of the Denison et al. reference. This rejection is respectfully traversed. Claim 11 directly depends from independent claim 10 and is patentable over the Moore reference for the reasons discussed above with respect to independent claim 10 as well as for the additional, unique elements found in claim 11. The McHugh et al. and Denison et al. references provide no additional disclosure that would obviate the deficiencies of the Moore reference.

In view of the foregoing remarks, all pending claims are believed to be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



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Date: June 6, 2007

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